

Nov-19-03 18:24 \* From-LAHIVE & COCKFIELD, LLP

6177424214

T-538 P.01/13 F-166

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## Facsimile Cover Sheet

**To:** Examiner K. Lin

**Company:** Mail Stop RCE  
Commissioner for Patents  
Group Art Unit 1725  
U.S. Serial No., 09 /889916

**Location:** Alexandria, VA 22313

**Phone:** (703) 308-2322

**Fax:** (703) 872-9306

**From:** David J. Rikkers, Esq.

**Phone:** (617) 227-7400

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**Serial No.:** 09/889,916

**Atty. Docket No.:** HHI-032USRCE

**Date:** November 19, 2003

**Return to:** DJR

**Pages including this**

**cover page:** 13

**Message:** Enclosed please find a copy of a Request for Continued Examination (RCE) Transmittal (1 page), Fee Transmittal (1 page), Amendment and Response (9 pages), and a Petition for 1 Month Extension of Time (1 page) in connection with the above-referenced matter.

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PTO/SB/30 (08-03)

Approved for use through 07/31/2006 OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>Request For Continued Examination (RCE) Transmittal</b>		<b>Application Number</b>	09/889916-Conf. #3006
		<b>Filing Date</b>	October 24, 2001
		<b>First Named Inventor</b>	Christian Boehnke
		<b>Art Unit</b>	1725
		<b>Examiner Name</b>	K. Lin
		<b>Attorney Docket No.</b>	HHI-032USRCE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s)

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked
 

- i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii.  Other \_\_\_\_\_

b.  Enclosed
 

- i.  Amendment/Reply  Information Disclosure Statement (IDS)
- ii.  Affidavit(s)/Declaration(s)  Other \_\_\_\_\_

2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 

- b.  Other \_\_\_\_\_

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0080
 

- i.  RCE fee required under 37 CFR 1.17(e)
- ii.  Extension of time fee (37 CFR 1.136 and 1.17) (1 page)
- iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

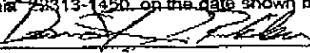
c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	David J. Rikkers	Registration No (Attorney/Agent)	43,882
Signature			Date November 19, 2003

I hereby certify that this correspondence is being facsimile transmitted to Examiner K. Lin at Facsimile no. 703-872-9306, MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below.

Dated: November 19, 2003

Signature:  (David J. Rikkers)

Nov-19-03 18:24

From-LAHIVE &amp; COCKFIELD, LLP

6177424214

T-538 P.03/13 F-166

PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/03/2003, Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\\$) 880.00
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## METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
<input checked="" type="checkbox"/> Deposit Account				
Deposit Account Number 12-0080				
Deposit Account Name Lahive & Cockfield, LLP				
The Director is authorized to (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments				
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)				
<input type="checkbox"/> Charge fee(s) indicated below except for the filing fee to the above-identified deposit account.				

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity			
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	
1001 770	2001 385	Utility filing fee		
1002 340	2002 170	Design filing fee		
1003 550	2003 265	Plant filing fee		
1004 770	2004 385	Reissue filing fee		
1005 160	2005 80	Provisional filing fee		

SUBTOTAL (1) (\\$) 0.00

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from Below	Fee Paid

Large Entity	Small Entity			
Fee Code (\$)	Fee Code (\$)	Fee Description		
1202 18	2202 9	Claims in excess of 20		
1201 88	2201 43	Independent claims in excess of 3		
1203 280	2203 145	Multiple dependent claim, if not paid		
1204 86	2204 43	-- Reissue independent claims over original patent		
1205 18	2205 9	-- Reissue claims in excess of 20 and over original patent		

SUBTOTAL (2) (\\$) 0.00

\*\*or number previously paid. # greater. For Reissues, add above

Complete if Known																																		
<table border="1"> <tr> <td colspan="2">Application Number</td> <td colspan="3">09/889916-Conf. #3006</td> </tr> <tr> <td colspan="2">Filing Date</td> <td colspan="3">October 24, 2001</td> </tr> <tr> <td colspan="2">First Named Inventor</td> <td colspan="3">Christian Boehnke</td> </tr> <tr> <td colspan="2">Examiner Name</td> <td colspan="3">K. Lin</td> </tr> <tr> <td colspan="2">Art Unit</td> <td colspan="3">1725</td> </tr> <tr> <td colspan="2">Attorney Docket No.</td> <td colspan="3">HHI-032USRCE</td> </tr> </table>					Application Number		09/889916-Conf. #3006			Filing Date		October 24, 2001			First Named Inventor		Christian Boehnke			Examiner Name		K. Lin			Art Unit		1725			Attorney Docket No.		HHI-032USRCE		
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Art Unit		1725																																
Attorney Docket No.		HHI-032USRCE																																
FEE CALCULATION (continued)																																		
3. ADDITIONAL FEES																																		
Large Entity	Small Entity																																	
Fee Code	Fee Code	Fee (\$)	Fee Description	Fee Paid																														
1051	130	2051	65 Surcharge - late filing fee or cash																															
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet																															
1053	130	1053	130 Non-English specification																															
1812	2,520	1812	2,520 For filing a request for ex parte reexamination																															
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action																															
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action																															
1251	110	2251	55 Extension for reply within first month	110.00																														
1252	420	2252	210 Extension for reply within second month																															
1253	950	2253	475 Extension for reply within third month																															
1254	1,480	2254	740 Extension for reply within fourth month																															
1255	2,010	2255	1,005 Extension for reply within fifth month																															
1401	330	2401	165 Notice of Appeal																															
1402	330	2402	165 Filing a brief in support of an appeal																															
1403	280	2403	145 Request for oral hearing																															
1451	1,510	1451	1,510 Petition to institute a public use proceeding																															
1452	110	2452	55 Petition to revive - unavoidable																															
1453	1,330	2453	665 Petition to revive - unintentional																															
1501	1,330	2501	665 Utility issue fee (or reissue)																															
1502	480	2502	240 Design issue fee																															
1503	640	2503	320 Plant issue fee																															
1450	130	1450	130 Petitions to the Commissioner																															
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)																															
1806	180	1806	180 Submission of information Disclosure Stmt																															
8021	40	8021	40 Recording each patent assignment per property (times number of properties)																															
1809	770	2809	385 Filing a submission after final rejection (37 CFR 1.128(b))																															
1810	770	2810	385 For each additional invention to be examined (37 CFR 1.128(b))																															
1801	770	2801	385 Request for Continued Examination (RCE) Request for expedited examination of a design application	770.00																														
Other fee (Specify)																																		
*Reduced by Basic Filing Fee Paid				Subtotal (3) (\\$) 880.00																														

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Dated November 19, 2003

Signature: *David J. Rikkers*

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